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Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 4th meeting
Held at Headquarters, New York, on Wednesday, 7 October 2009, at 3 p.m.

Chairman: Mr. Al-Nasser ..... (Qatar)

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The meeting was called to order at 3.10 p.m.

Agenda item 39: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other agenda items*) (*continued*) (A/64/23 and Corr.2 (chaps. VIII, IX and X), A/64/185)

Hearing of representatives of Non-Self-Governing Territories and petitioners

1. **The Chairman** said that in line with the Committee's usual practice, representatives of Non-Self-Governing Territories and petitioners would be invited to address the Committee and would withdraw after making their statements.

Question of Gibraltar (A/C.4/64/2)

2. **Mr. Caruana** (Chief Minister, Gibraltar) said that on the basis of a 1713 treaty which had been consigned to the dustbin of history, Spain asserted that the decolonization of Gibraltar could mean only the transfer of its sovereignty by the United Kingdom to Spain, against the wishes of the people of Gibraltar and in violation of their rights. The people of Gibraltar would never agree to such an anachronism, nor could Spain's position be supported objectively under international law. It was therefore little wonder that Spain rejected the referral of the question to the International Court of Justice for an advisory opinion. The sovereignty of Gibraltar was neither the United Kingdom's to give away, nor Spain's to demand; nor was Gibraltar a part of Spain, and its self-determination therefore did not affect Spain's territorial integrity.

3. The Special Committee on Decolonization had taken to fabricating extraordinary and untenable rules, such as its suspension of the principle of self-determination for Territories affected by a sovereignty dispute. The people of Gibraltar had therefore been obliged to bypass the Special Committee and secure decolonization by other means. In doing so, they had relied on General Assembly resolution 2625 (XXV), which provided that the emergence into any political status suitable to a Territory's circumstances that was freely determined by the people of the Territory constituted an act of self-determination.

4. The decolonization of Gibraltar had already taken place not only in practice but also in law, by virtue of Gibraltar's Constitution. Gibraltar was a democratic, modern, prosperous and self-governing country. The idea that its status could be the subject of a deal between two other States was untenable, as was Spain's sovereignty claim, which lay outside the competence of the Special Committee. Yet the so-called consensus decision implied that the sovereignty of Gibraltar could be ceded against the wishes of its inhabitants. Indeed, that decision did not even reflect a consensus between the United Kingdom and Spain; the United Kingdom had stated that it would never discuss the issue without Gibraltar's consent, and that consent would never be forthcoming. He hoped that the representative of the United Kingdom would deliver the same clear message at the current session, and urged the Committee not to waste time adopting political resolutions on the basis of false premises. He stressed instead that the recently initiated trilateral Dialogue Forum was the only viable way forward. In July 2009, a third ministerial meeting had taken place between him and the Ministers for Foreign Affairs of the United Kingdom and Spain, the latter of whom had made a historic and unprecedented visit to Gibraltar. The Government of Gibraltar was enduringly committed to those discussions.

5. Finally, he noted that it was counterproductive for Spain to maintain its belligerent stance in such areas as the provocation of physical encounters in waters under the authority of Gibraltar; litigation at the level of the European Union, apparently with the sole aim of undermining Gibraltar's economy; and the use of regional and environmental protection measures as a means for Spain to pursue its sovereignty claim.

6. **Mr. Bossano** (Leader of the Opposition, Parliament of Gibraltar) said that he opposed the futile consensus decision, which Spain took as an endorsement of its position, and maintained that decolonization could only mean Gibraltar becoming Spanish. The United Kingdom argued that any agreement was subject to the consent of the people of Gibraltar, while knowing that such consent would never be forthcoming.

7. In March 2009, the Foreign Affairs Commission of the Parliament of Spain had approved a consensus decision of its own, requesting its Government to continue to negotiate with the United Kingdom the text of the consensus decision submitted to the General Assembly that was prepared annually by the United Kingdom and Spain in the vain hope that the people of Gibraltar might accept it.

8. The United Kingdom argued that Gibraltar and its other overseas territories should be removed from the list of Non-Self-Governing Territories. That view was based on a re-engineered constitutional relationship enacted not by the colonies but by the colonial Power. However, in the case of the Turks and Caicos islands, the United Kingdom had unilaterally terminated precisely such a relationship on 14 August 2009. The United Kingdom was still the administering Power, and the criteria of the Charter of the United Nations continued to apply. He opposed the manufactured consensus of the United Kingdom and Spain, and the United Kingdom position that the criteria derived from the Charter of the United Nations were not applicable, as well as the United Kingdom's policy of not engaging with the Special Committee on Decolonization.

9. He supported the report on the Caribbean Regional Seminar, held in St. Kitts and Nevis in May 2009, contained in the annex to the report of the Special Committee (A/64/23). In particular, he welcomed the suggestion that an assessment of the current stage of decolonization and self-determination in each Non-Self-Governing Territory could serve as a checklist or benchmark on progress to date and what remained to be done. The policy of welcoming participation from all stakeholders allowed the Committee to hear a full range of views, and did credit to the openness of the United Nations, even if the peoples concerned often felt that their views were not taken into account.

10. The consensus decision was a waste of time; the people of Gibraltar would not rest until their nation and identity gained international recognition. Spain's illogical arguments could only result in the replacement of a colonial master with a worse one.

Question of Guam (A/C.4/64/3 and Add.1-6)

11. **Mr. Tuncap** (Pacific Islands Studies Programme, University of California Berkeley) called on the United Nations to recognize the inalienable right to self-determination of the Chamoru people in accordance with General Assembly resolutions 1514 (XV) and 1541 (XV) and with the Declaration on the Rights of Indigenous Peoples. The continued occupation of Guam and the Northern Marianas Islands by the United States military was rooted in a system of racial inequality between the settlers of those islands and the native Chamoru people. Since their initial contact with the United States in 1898, the Chamoru people had been prevented from exercising their inalienable human rights by massive pacification and military occupation. Militarized conditions continued to characterize the institutions defining American citizenship for many people in the Pacific and Caribbean colonies.

12. The military build-up on the island had grave implications for its indigenous people. The United States asserted that its citizens had a right to vote in a decolonization plebiscite, yet indigenous people were denied the right to vote in United States elections. The largest barrier reef system of Guam had been destroyed by military dumping and nuclear testing. United States Army installations occupied one third of the island, and the build-up had interrupted the return of land to the original landowners. There were now 80 contaminated military dump sites on the island, and the civilian Ordot landfill contained 17 toxic chemicals.

13. The Committee must give the utmost priority to the right to self-determination of the people of Guam. It must enact the decolonization process, allocating the maximum available funding to a campaign informing Chamorus of their right to self-determination and the options for decolonization. The Committee must also examine the failure of the administering Power to comply with the Charter of the United Nations.

14. **Ms. Cristobal** (Guahan Coalition for Peace and Justice) said that the current militarization of Guam was unprecedented. Earlier United Nations resolutions had called on the administering Power to ensure that the presence of military bases and installations would not constitute an obstacle to decolonization. Yet the most recent report of the Special Committee (A/64/23) made only a cursory reference to deep concerns expressed by civil society and others. Such changes undermined the intent and purposes of the Charter of the United Nations. The working paper on Guam (A/AC.109/2009/16) stated that local residents generally welcomed the military build-up, and that opposition stemmed mainly from concerns about the sociocultural impact on Guam, but nothing could be further from the truth. She called on the Committee to establish a budgetary programme to provide for a visit by the Secretary-General, a special representative or a mission in accordance with the report of the Secretary-General on the Second International Decade for the Eradication of Colonialism (A/56/61).

15. The single most important study of the militarization plan was an environmental impact study, which had been prepared by military contractors, but the designated agencies were giving it only the minimum review, and there were no plans for a public review. The study did not address the political relationship between the administering Power and Guam, or the impact of a colonial history on the Chamoru people. Nor did it consider alternatives or engage with stakeholders; it was effectively intended to justify the plan. Although the final decision had not yet been taken, the construction of the nuclear submarine and ammunition wharf was already well under way and foreign workers had arrived. The militarization plan was a blatant violation of the right to self-determination, and must be comprehensively addressed by the Special Committee.

16. **Mr. Aguon** (I Nasion Chamoru) regretted that the petitioners' speaking time had been reduced at short notice. He said that the military build-up on Guam would bring some 50,000 military personnel and foreign workers to the island, not to mention six nuclear submarines and a monstrous Global Strike Force.

17. The core issue was the self-determination of the Chamoru people, who now accounted for only 37 per cent of the island's population. The principle of self-determination was accepted as a jus cogens norm from which no derogation was permitted. It was established in the Charter of the United Nations and in numerous conventions. Article 73 of the Charter stated that administering Powers should recognize the principle that the interests of the inhabitants of Non-Self-Governing Territories were paramount. The major non-binding declarations adopted by the General Assembly had further defined the terms of the Charter. General Assembly resolution 1514 (XV) stated that the subjection of peoples to alien subjugation, domination and exploitation constituted a denial of fundamental human rights. The principle of self-determination had also been asserted by the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and General Assembly resolution 2625 (XXV). As a Member State of the United Nations and a signatory to those Conventions, the United States was committed to the principle of self-determination. The military build-up made a mockery of its mandate as administering Power. The Chamoru people did not need more words; they needed a United Nations intervention.

18. **Mr. Roberts**, speaking in his personal capacity as a doctoral candidate in the Department of Geography, University of Toronto, said that his campaigning work on behalf of university students from underrepresented backgrounds had made him closely aware of the plight of the Chamoru people. The United States had itself championed voting rights for democratically elected representatives. The largely unacknowledged colonial status of Guam was therefore abhorrent.

19. Lessons could be learned from the struggles of other indigenous peoples. In Canada, legal challenges by indigenous groups had in recent years brought about Government policy changes intended to rectify the impact of historical and contemporary colonialism. Although such action had not yet resulted in significant material change, it was a basis for engagement.

20. The collective amnesia of the administering Power hindered the Chamoru struggle for self-determination and prevented the mobilization of broad public support in the United States. Without legal recognition, the needs of the indigenous people could not be addressed. By failing to recognize their right to self-determination, the United States had effectively undermined social movements seeking restitution for injustices. The Committee could play a central role in confronting that policy.

21. **Ms. Roberto**, speaking in her personal capacity as a representative of the University of California Berkeley Pacific Islander Alumni, said that she wished to testify about the physical and emotional effects of the displacement resulting from colonialism. Her great-grandfather, who had worked for the United States military, had wanted his family to leave the island and assimilate. However, her own generation questioned whether assimilation had indeed been a success story. From a material and emotional point of view, their situation was better than that of the remaining Chamorus on Guam. The Chamoru consciousness was endangered, and Chamoru people had been exposed to radiation and dangerous chemicals. Older persons, who bound families together, fought cancer and neuro-degenerative diseases. Their loss robbed the community of an invaluable cultural resource. The effects of colonialism had followed emigrant Chamorus; forced migration was not self-determination. Her family had gained access to better

education and resources, but lost its land, language and culture.

22. She called on the Committee to give the utmost priority to the inalienable right of the Chamoru people to self-determination. United Nations officials must visit the island within six months to assess the implications of the United States' presence and military build-up.

23. **Ms. Quinata** (South California Chapter of Famoksaiyan) said that she wished to honour the heroic and passionate people who had struggled for the rights and self-determination of the Chamorus. Those who questioned the effects of the United States military build-up had been ignored. The people whose environment would be destroyed by that build-up had been excluded from the decision to carry it out.

24. For the Chamoru people, the struggle was not only a political one; it was a matter of asserting their identity and intrinsic rights. She recounted a vision of her ancestors, whose example had paved the way for future Chamorus. That powerful calling had kept alive her passion for her people's heritage and struggle for self-determination. Guided by her ancestors and moved by their strength and courage, she wished to reaffirm that the question of Guam was one of decolonization and of the eradication of militarism and colonialism.

25. **Ms. Tedtaotao** (Riverside Chapter of Chamorro Nation) said that the Chamoru people continued to be denied their right to their land and self-determination, and the devastation of their island made their struggle all the more difficult. In view of the impending military build-up, which would begin in 2010, the international community should hold the administering Power accountable.

26. The resilient culture of the Chamoru people had prevailed against disarray, militarism and cultural hegemony. However, its voice had been ignored, and the military build-up was only a fraction of its tragic loss. For the Chamoru people, self-determination was not simply a word: it lived in their hearts, minds and souls.

Question of Western Sahara (A/C.4/64/5/Add. 22, 23, 31, 32, 34, 35, 39, 41, 44, 47, 49, 62, 70, 80)

27. **Mr. Sadek**, speaking in his personal capacity as a former Chairman of the Committee on Foreign Affairs of the Algerian Parliament, said that in the early 1960s, the United Nations considered Western Sahara as a territory under colonization, whose people had a right to self-determination and independence. In 1975, the International Court of Justice stated that Western Sahara had not been a Moroccan territory prior to the Spanish colonization, and that no sovereign ties existed between Western Sahara and the Kingdom of Morocco.

28. In the hitherto incomplete process of decolonization, the people of the Territory had been prevented by force of arms from exercising their inalienable right to self-determination; Spain had abdicated its international obligations in handing over the Territory to Morocco; and the fait accompli of the occupation of the Territory, imposed by military means, had led to the oppression of the Saharawi people, the denial of their rights, and the looting of their natural resources.

29. The United Nations bore a clear responsibility as long as the Saharawi people were denied the opportunity to express their will through a free, fair, democratic and transparent referendum organized and supervised by the United Nations in cooperation with the African Union. The 1991 United Nations settlement plan, signed by the Frente Polisario and Morocco and endorsed by the Security Council, the General Assembly, and the United Nations Mission for the Referendum in Western Sahara (MINURSO), remained the sole reference for a just and lasting solution and a genuine framework to end the conflict.

30. There was no alternative to self-determination, and annulling the 1991 settlement plan and the Houston accords of 1997 would be a grave mistake with dangerous consequences for the whole region. Spain, which was still the legal administering Power of Western Sahara, should fulfil its legal and political responsibilities, just as its neighbour Portugal had done in East Timor. All Member States, particularly France, should take all necessary steps to ensure the implementation of the right of the people of Western Sahara to self-determination and independence.

31. **Mr. Boukhari** (Representative of the Frente Polisario) said that one could not help but wonder why the United Nations remained unable to put an end to the last case of colonialism in Africa after more than 40 years. Since the self-determination referendum in 1992, Morocco had been trying to involve the United Nations in the acceptance of a de facto situation that was completely contrary to international legality. Its

proposal of autonomy for Western Sahara, presented in April 2007 in the framework of what it unilaterally called "Moroccan sovereignty", was symptomatic of that attempt.

32. Negotiations between the two parties, called for by the Security Council and supported by the General Assembly, and which had begun in Manhasset in June 2007, had been undermined by Morocco's unwillingness to discuss or negotiate anything except its so-called "autonomy plan" — a plan that implied accepting beforehand that Western Sahara was already an integral part of the Kingdom of Morocco.

33. That precondition therefore violated the letter and spirit of the resolutions of the Security Council and the General Assembly. Morocco continued to harbour the colonial illusion of annexing Western Sahara, ignoring not only the views of the international community, but also its own reiterated and unequivocal commitments to the independence of Western Sahara that it had recognized before the United Nations and which could be found in the archives of that institution and of the African Union.

34. Morocco was illegally exploiting the natural resources of the Territory, exploitation in which others, such as the European Union, were unfortunately involved. Its policies of systematic repression, involving torture, arbitrary detentions, politically motivated trials and police brutality against women and children, had raised the concern of humanitarian organizations. He expressed particular concern at the news that all political parties in Morocco had recently launched an offensive against supporters of human rights wishing to return to the Territory.

35. Furthermore, Morocco had managed deliberately to frustrate the prolonged efforts of the international community to hold a simple self-determination referendum, in the process involving the international community in abandoning the defence of the human rights of a small and innocent people. The continuing conflict over decolonization caused unjust suffering for the people of the Territory, and symbolized the collective failure of the international community to resolve the issue. It was time to take stock of the situation; the right of the Territory to become a sovereign, independent and responsible nation should not be postponed any longer.

36. **Mr. de Guillenchmidt**, speaking in his personal capacity as the former Dean of the Faculty of Law at the University of Paris Descartes, said that the unacceptable slander against Morocco with regard to human rights must be stopped, as the denunciations involved were based on erroneous information. It was important to stress the scope of efforts by Morocco to achieve respect for freedoms in Western Sahara as in all countries. The exemplary juridical framework it had established, on the basis of its Constitution, was what should be used objectively to evaluate the extent of true democracy in southern Morocco. As examples, he cited high participation in the elections, the active exercise of trade unionism, freedom of association, and a systematic opening of the regions of the south which the Frente Polisario had characterized as "closed to foreigners".

37. The state of autonomy proposed by Morocco was modern, validated by referendum, and did not challenge the territorial integrity of Morocco. That proposal, which the Frente Polisario refused to discuss, provided for a parliament composed of representatives of the tribes, elected by direct universal suffrage and disposing of its own financial resources. He called on the parties to avoid getting bogged down; otherwise peaceful cooperation among the peoples of the Maghreb would not be moved forward.

38. **Mr. Leite** (International Platform of Jurists for East Timor) said that he was also speaking on behalf of the Stichting Zelfbeschikking West-Sahara, an association established under Dutch law for the defence of the right to self-determination of the people of Western Sahara.

39. He noted that the pro-Moroccan petitioners addressing the Committee avoided the issue of Morocco's occupation and any mention of the referendum. Instead, they branded the Frente Polisario as a separatist group driven by Marxist or Islamist ideology, and tried to discredit it through accusations of slavery, terrorism, and fundamentalism, while portraying Morocco as a democratic regime. They characterized the conflict as one between Algeria and Morocco, rather than between Morocco and the Frente Polisario, and insisted on Algeria's links to terrorists, communists and fundamentalists. They also emphasized the "Eastern-bloc" nature of the countries that had historically supported the idea of independence, hoping thereby to discredit the idea of a referendum on independence. They trumpeted the views of the few who supported the Moroccan position, but dismissed those of international bodies that

appeared to support the holding of a referendum or the idea of independence.

40. The fact remained, however, that part of the Territory of Western Sahara was illegally occupied by Morocco, and part was under the total control of the Frente Polisario. The Saharawi Republic, a member of the African Union, was recognized by more than 80 States, and its right to self-determination was supported in more than 100 United Nations resolutions. Morocco refused to hold a referendum and had proposed an autonomy plan without the option of independence, contrary to international law. In its December 2008 report, Human Rights Watch had again denounced Moroccan violations in the occupied Territory, disproved the accusation that Saharawi refugees in Tindouf were hostages of the Frente Polisario, and recommended that the mandate of MINURSO should be expanded to include human rights monitoring.

41. **Mr. Ould Souilem**, speaking in his personal capacity as a founding member of the Frente Polisario, said that he had recently returned to his country after having realized the failure of the Polisario project and its manipulation by Algeria. Morocco had installed a modern democratic system, under which the Saharawi people enjoyed their own rights. The Moroccan proposal made possible a dignified life for the Saharawis and their children.

42. Algerian control of all the refugee camps presented a barrier to the aspirations of the Saharawi people to return to their country, and he appealed for an end to the calvary of his compatriots in the Tindouf camps. He said those who had been able to return were fortunate, after having survived the genocide to which they had been subjected.

43. **Mr. Preira Galeano** (Vice-President, Senate of Paraguay) said that despite all of the efforts of the United Nations, the conflict in Western Sahara had continued for more than 30 years without a solution, and the Saharawi people continued to suffer the consequences. It was the obligation of the parties involved in the conflict to guarantee respect for the human rights of the people of Western Sahara, in the territory and in the refugee camps.

44. MINURSO played an indispensable role in maintaining the ceasefire. It was important that the parties to the conflict continued to cooperate with MINURSO, and he appealed to the parties to support the efforts of the Secretary-General and his Personal Envoy, Christopher Ross, to reach a mutually acceptable and lasting solution that would lead to self-determination in Western Sahara. The Manhasset negotiations had yet to yield any positive results, but he expressed hope that the forthcoming meetings would make possible, under the auspices of the Secretary-General and in conformity with international law, negotiations that would facilitate the implementation of several resolutions passed on the issue, in order to bring about the final resolution of the question of Western Sahara.

45. **Ms. Cervone** (Centrist Democratic Women International) said that there was no longer any reason for the conflict in the Maghreb region to continue. The populations kept by force in the Tindouf camps were victims of Algerian policy. It was no secret that the camps were a major prison, surrounded by the Algerian army. The Frente Polisario and the intelligence services had been working for decades to deceive pubic opinion about conditions in the camps, but the world was now beginning to understand the truth thanks to the brave testimonies of those who had managed to escape.

46. Women and children suffered the worst in the camps; in addition to severe malnutrition, children were subject to being torn from their families at early ages and sent to other countries for years of implacable indoctrination and military training. Groups such as Human Rights Watch had expressed concern that the Tindouf camps were outside the control of the United Nations and other organizations, and that the Frente Polisario monopolized the political discourse and opposed any opposition to its own leadership. However, through the work of the Fourth Committee, more people were now aware of what was happening in the Tindouf camps, so that no one could later claim ignorance. It was time for the United Nations to carry out its responsibilities to protect the civilian population being kept by force in the Tindouf camps.

47. **Mr. Jensen**, speaking in his personal capacity as former Special Representative of the Secretary-General for Western Sahara, said that potential dangers arose when people were deprived of decent living conditions and prospects for a better life. Morocco would prefer a straightforward integration of the territory of Western Sahara into the Kingdom, while the Frente Polisario offered independence. Perhaps the answer lay between those two extremes. The Moroccan proposal could at

least provide a springboard for talks, and perhaps the two sides could eventually compromise.

48. The conflict between the two sides impeded development for a burgeoning population. Unemployment affected 15 per cent of the labour force, and nearly a third of the population were under 15 years of age. A concerted effort was necessary to achieve economic and social development, in the interest of everyone throughout the region. In addition, the Maghreb States needed to show political will, and offer encouragement for a resolution of the conflict.

49. **Mr. Fernández Martín** (European People's Party and European Democrats Group in the European Parliament) said that he had been following the conflict of Western Sahara for the past 40 years. In that conflict, the first victim on both sides was human rights. The Frente Polisario was calling for a referendum, and its position had not changed over the years. For its part, Morocco would never accede to giving independence to the provinces of the south. The United Nations had not been able to bring about an agreement.

50. A military solution was not possible; a lasting solution could only be achieved through negotiations and dialogue. Possibilities for autonomy in Western Sahara should be explored. It had not been easy for Spain during its dictatorship to become a decentralized State, but it had succeeded in achieving a positive balance after more than 40 years. Spain's experience could serve as a positive example for the Maghreb States, so that they could become united as well.

51. **Ms. Warburg** (Freedom for All) said that for the past 33 years, the world's second-oldest group of refugees had been forcibly detained in the Algerian-backed, Frente Polisario-run camps in Tindouf, where fundamental human rights were routinely ignored and abused, and freedom of thought and expression were non-existent. Husbands and wives, children and siblings were placed in widely separated camps, violating the right to family life outlined in the Universal Declaration of Human Rights, and contravening the 1951 Convention on the Status of Refugees.

52. Algeria had also ignored the Notice of Protection issued by the Office of the United Nations High Commissioner for Refugees (UNHCR) in 2002, which called on States to respect the principle of freely approved return of refugees to their homes. Children were being sent thousands of miles from the Sahara with no parental contact, and forced to work as domestics and labourers in fields and factories. The 90,000 Tindouf detainees relied exclusively on humanitarian aid supplied by international donors. Former Polisario leaders had attested to the near-famine conditions in the camps, where illnesses such as anaemia were rampant. She called on Algeria to allow the United Nations refugee agency to conduct a census of the camp's population, to identify and register those in Tindouf. Her organization supported the view of Human Rights Watch, holding the Government of Algeria as well as the Frente Polisario accountable for any violations committed in Algeria by the Frente Polisario, and endorsed Amnesty International's recent call for those responsible for human rights abuses in the camps to be brought to justice. Morocco's autonomy initiative offered a pragmatic and permanent solution to the conflict.

53. **Mr. de Cara**, speaking in his personal capacity as a professor of international law at the University of Paris Descartes and as Director of the University of Paris Sorbonne in Abu Dhabi, said that the right of people to self-determination was an essential principle of international law that Morocco had long endorsed. In its proposal of autonomy for the provinces of the south, considered as being responsible and credible by the Security Council, Morocco had provided a text that guaranteed rights and freedoms to the inhabitants within the framework of Moroccan law.

54. It was important to stress that the abuse and questioning of Morocco represented a threat to its integrity. For example, Morocco should not be criticized for public order measures intended to put an end to criminal activities. Those criticisms represented unlawful interference and revealed the bad faith of people making them; such measures were commonly used by States to ensure public order, national unity, and respect for individual rights and liberties as well as for the territorial integrity of those States.

55. **Ms. Bachir-Abderahman** (UJSARIO: Saharawi Youth Union) said that in her three years of addressing the Committee on the question of Western Sahara, little if anything had been done regarding Africa's last colony. After the invasion of 1975, the Moroccan authority had violated international law and the Geneva Convention, importing thousands of Moroccans into Western Saharan territories, displacing thousands of Saharawis. The Moroccan Government continued to

violate human rights, exploit Saharawi natural resources, and spread deliberate lies through the media.

56. Since May 2005, many youths still living in the occupied territories had begun to engage in a non-violent struggle for their right to self-determination. However, as had been noted by international groups like Human Rights Watch, dozens of Saharawis continued to be brutally attacked, arrested and even killed by the Moroccan forces and armed police. Those attacks included severe beatings and sexual abuse. Many Saharawi prisoners were being tortured in Moroccan prisons and disappearing, and many more Saharawis were suffering varying degrees of discrimination. The Moroccan Government appeared to be ignoring the Universal Declaration of Human Rights, and she urged the United Nations to take immediate action to prevent ongoing human rights violations in the occupied territories of Western Sahara.

57. **Mr. Dedenis** (Blain Accueil Enfants Sahraouis) said that while the Moroccan people were nearly unanimous in holding that Western Sahara was part of Morocco, that view was based on the distortion of facts engaged in by the Moroccan Government in the name of protecting its territorial integrity. Because they were being prevented from meaningful participation in the debate on Western Sahara, the Moroccan people were being deprived of their rights to freedom of will and opinion. That in turn created an obstacle to the resolution of the conflict, because if the Moroccan people were able to form their own views of the situation, their unanimity would very likely dissipate.

58. While the Moroccan people were being deprived of the exercise of their right to information and freedom of opinion, the people of Western Sahara were being denied their right to self-determination. They, in turn, were unanimous in their desire to exercise that right within the framework of a referendum. Peace had value only if it were lasting or final, and the durability of the peace should not be sacrificed in the search for a quick solution. A lasting solution could only be reached through negotiations between the Frente Polisario and Morocco, with the participation of both the Moroccan and Saharawi peoples. There could be no real solution without respect for fundamental rights.

59. **Mr. Assor** (Surrey Three Faiths Forum) said that he had again come to speak on behalf of the downtrodden people in the Tindouf camps. He urged the Committee to stop aid from being diverted from the detainees to markets in Algiers, Nouakchott and elsewhere. He had hoped that his repeated pleas and personal appeals, including to the head of UNHCR, would have awakened the Committee and the wider international community to the dire situation in the camps.

60. He wished to acknowledge remarks by the top UNHCR official in the region that no further aid would be forthcoming until a census was held. His organization had consistently advocated such a census, viewing it as indispensable. He urged the Committee to help UNHCR in preventing the diversion of aid from the camps, and further, not to allow another four years to pass before his organization was allowed to visit the camps in order to assess peoples' needs and to bring assistance. He also asked that detainees be allowed to "vote with their feet".

The meeting rose at 6.05 p.m.